

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

INFORMATION

- against -

QUALITY WORK GROUP, INC.,
Defendant.

Cr. No. 14-cr-00395-WFK
(T. 16, U.S.C. §§ 3372(a)(1),
3373(d)(1)(B) and 3374(a)(1); T. 21,
U.S.C. § 853(p); T. 28, U.S.C. § 2461(c))

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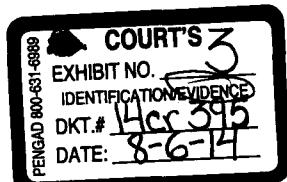
THE ASSISTANT ATTORNEY GENERAL CHARGES:

INTRODUCTION

1. The Endangered Species Act (“ESA”) was enacted by Congress to conserve endangered and threatened species and the ecosystems upon which they depend. Title 16, United States Code, Section 1531(b).

2. The term “fish or wildlife” is defined in the ESA to mean any member of the animal kingdom, including without limitation any mammal, and includes the dead body or parts thereof. Title 16, United States Code, Section 1532(8). The term “endangered species” means, in relevant part, any species which is in danger of extinction throughout all or a significant portion of its range. Title 16, United States Code, Section 1532(6).

3. The ESA makes it a crime for any person subject to the jurisdiction of the United States to knowingly deliver, receive, carry, transport, and ship in interstate and foreign commerce, by any means whatsoever and in the course of a commercial activity, any endangered species of fish and wildlife listed pursuant to the ESA, without a permit or other



authorization from the United States Fish and Wildlife Service (“USFWS”). Title 16, United States Code, Section 1538(a)(1)(E) and Title 50, Code of Federal Regulations, Sections 17.21(a) and (f).

4. The black rhinoceros (*Diceros bicornis*) is a species of rhinoceros native to eastern and central Africa, which has been pushed to the brink of extinction by poaching for its horn, and to a lesser extent by loss of habitat.

5. The black rhinoceros was listed as endangered under the ESA effective July 1980. 45 Federal Register 47352, 47354 (July 14, 1980).

6. The Lacey Act makes it a crime for a person to, *inter alia*, knowingly engage in conduct that involves the sale and purchase of wildlife with a market value in excess of \$350.00, knowing that the wildlife was taken, possessed, transported and sold in violation of, or in a manner unlawful under, a law or regulation of the United States. Title 16, United States Code, Sections 3372(a)(1) and 3373(d)(1)(b). “Fish and wildlife” is defined in the Lacey Act to include any wild animal whether alive or dead and any part or product thereof. Title 16, United States Code, Section 3371(a).

7. The defendant QUALITY WORK GROUP, INC. (hereinafter “QWG”) was incorporated under the laws of the State of New York, and is located at 141-25 Northern Boulevard, E-10 in Flushing, Queens, New York. QWG is in the business of general contracting and home improvement.

ILLEGAL WILDLIFE TRAFFICKING – LACEY ACT

8. The allegations in paragraphs 1 through 7 are realleged and incorporated as if fully set forth in this paragraph.

9. On or about November 16, 2010, within the Eastern District of New York, the defendant QWG, did knowingly engage in conduct that involved the sale and purchase of, the offer of sale and purchase of, and the intent to sell and purchase wildlife having a market value in excess of \$350.00, to wit: four horns of black rhinoceros (*Diceros bicornis*), and did knowingly transport, sell, receive, acquire, and purchase that wildlife, knowing that the wildlife was transported and sold in violation of the ESA, Title 16, United States Code, Section 1538(a)(1)(E) and (F).

(Title 16, United States Code, Sections 3372(a)(1) and 3373(d)(1)(B))

CRIMINAL FORFEITURE ALLEGATION

10. The United States hereby gives notice to the defendant QWG that, upon its conviction of the offense charged in this Information, the government will seek forfeiture in accordance with Title 28, United States Code, Section 2461(c) and Title 16, United States Code, Section 3374(a)(1), which require forfeiture of all wildlife imported, exported, transported, sold, received, acquired, or purchased in violation of Title 16, United States Code, Section 3372.

11. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or

e. has been comingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 16, United States Code, Section 3374(a)(1); Title 21, United States Code, Section 853(p); Title 28, United States Code, Section 2461(c))

SAM HIRSCH
ACTING ASSISTANT ATTORNEY GENERAL
ENVIRONMENT AND NATURAL
RESOURCES DIVISION

By: _____
Gary N. Donner
Trial Attorney
Environmental Crimes Section